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CITY OF OAKLAND



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Office of the City Attorney
John A. Russo
City Attorney

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July 6, 2004

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Connie Braver v. City of Oakland, et al*
Alameda County Superior Court Case No. RG03-120964
Our File No. 23318 – Office of Public Works –
Premises Liability/Trip and Fall Accident

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled matter arising from an incident on February 4, 2003, in which plaintiff tripped and fell on a raised portion of sidewalk on Randwick Avenue adjacent to property located at 3351 Richmond Street.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Nine Thousand Five Hundred Dollars and No Cents (\$9,500.00), to be made payable to Connie Braver and Alexander G. van Broek, Esq., her attorney of record. This matter has not been previously considered by the City Council in closed session.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo".

JOHN A. RUSSO
City Attorney

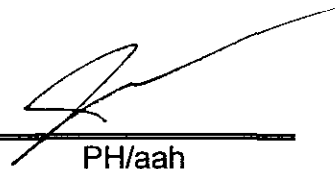
Attorney Assigned:
Peter Hallifax
324681

10.7CC
CITY COUNCIL

JUL 6 2004

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.



PH/aah

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CONNIE BRAVER v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG03-120964, OUR FILE NO. 23318, IN THE AMOUNT OF \$9,500.00. THIS CASE INVOLVES A TRIP AND FALL ACCIDENT OCCURRING ON A RAISED PORTION OF SIDEWALK. (OFFICE OF PUBLIC WORKS)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Connie Braver v. City of Oakland, et al., Alameda County Superior Court Case No. RG03-120964, City Attorney's File No. 23318, for a sum not to exceed a total of Nine Thousand Five Hundred Dollars and No Cents (\$9,500.00) payable by the City of Oakland to Connie Braver and Alexander G. van Broek, Esq., her attorney.

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps may be necessary to effect said settlement; and be it

FURTHER RESOLVED: That the sum of Nine Thousand Five Hundred Dollars and No Cents (\$9,500.00) be paid to Connie Braver and Alexander G. van Broek, Esq., her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

324691

10.7CC
CITY COUNCIL
JUL 6 2004